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## BOOK REVIEWS

**BEFORE THE WAR.** By *Viscount Haldane*, K. T., O. M. Funk and Wagnalls, New York City. Pp. 223.

This Scotch metaphysician, jurist, and man of affairs, eminent in British political life as a Liberal of the older type, but who is now showing unpredicted sympathy for a new Labor party, served as Secretary of State for War from 1905 to 1912, and was Lord High Chancellor from 1912 to 1915. To him the British people owed a territorial army, which if they had not had it during August and September, 1914, and been able to place it with dispatch and full force on the Continent, Germany probably would have captured Paris.

Because of his statesmanlike handling of the British military "preparedness" policy in pre-war days, Lord Haldane came to know much about the national foreign policy and its bearings upon possible German military aggression. His personal preference as a student and thinker had brought him intimately in contact with the higher ranges of German thought and had won for him recognition in the German academic world. Thus equipped, he was the natural choice of the British Government for those quasi-official, tentative, personally executed commissions to Berlin which were common during the last years of the last century and the early years of this century.

The serious British endeavor, as Viscount Haldane makes clear in this book, was to come to an understanding with Germany respecting growth of naval power, satisfaction of the Teutonic desire for a "place in the sun," and establishing of a *modus vivendi* by which the two rival nations might avoid war while satisfying legitimate national aspirations.

This book is the narrative, mainly, of these negotiations, and because the story comes from a chief actor in the play that turned out to be a tragedy, it is the more valuable.

During the early stages of the war Viscount Haldane had to suffer misunderstandings and some measure of journalistic denunciation, because in pre-war days he had been a champion of Anglo-German friendship. He was, and he still is, such a champion. In the epilogue of this book he pleads for a treatment of the Central Powers that while just will not be of a kind to insure coming hostilities. To forget may be impossible; but to forgive need not be, providing it is preceded by signs of contrition and fruits meet for repentance by Germany and Austria.

**OUR WAR WITH GERMANY—A HISTORY.** By *John Spencer Bassett*. Alfred A. Knopf. New York. Pp. 378.

Professor Bassett is known to students of American history as the competent author of excellent works on "The Federalist System," "The Middle Group of American Historians," and a life of Andrew Jackson. In his book, "The Lost Fruits of Waterloo," he branched out into a study of European history that at once indicated that he could master the intricacies of military and diplomatic maneuverings and the remote as well as the immediate consequences of historic events.

In this history of the War of 1914-18, "The World War," he has done his work well, but fully aware that he is basing his conclusions on partial data. He has had a popular rather than a learned audience chiefly in mind, deeming it best, doubtless, to make his chronicle one that the American citizen who still reads books can understand and also find some satisfaction in reading. He has tried to be fair, as becometh a scholar, and to deal with matters now in controversy with as much objectivity as is possible.

The swift process of time since August, 1914, with its unprecedented happenings, violent alternations of fear and hope, mobilization and dispersion of hosts of men, arraying of peoples as well as of armies against each other, and the delays, intricacies, disillusionments, and passions of the peace negotiations and treaty-making process, has wrought in most of his countrymen a present state of mind that is chaotic, contemporary, and comparatively unmindful of what has gone before. To such this book comes as a God-send to recall past states of emotion and conviction. By it they can stabilize themselves somewhat and recall where they were, so as to better understand where and why they

are where they are. Even the author admits his inability to keep a true perspective in such a welter of mixed motives (political, partisan, national, racial, and religious) as faces the chronicler. But his main conclusions are such as to make for optimism so far as the American record and the American program are concerned. Our nation has been right and, as he believes, our national acts also, at least down to the opening of the Peace Conference. Beyond that period he does not go with his judgment, though his chronicle covers presentation of the treaty to the Senate.

**LAW IN THE MODERN STATE.** By *Leon Duguit*. Introduction by *Harold Laski*. B. W. Huebsch. New York City. Pp. 245. \$2.50.

The Harvard University professor, who has acted as co-translator with his wife in making this book accessible to an English-reading public and who also writes the introduction, is himself an exponent of the dynamic theory of law's and government's evolution which the eminent French jurist among his contemporaries stands for pre-eminently. The value of Mr. Laski's introduction is his relation of the French theory to the views of American and British thinkers who, coming at the subject in a less doctrinaire and more practical way, are arriving at the same conclusions. Conspicuous among Americans so inclined are Mr. Justice Holmes, of the Supreme Court, and Dean Roscoe Pound, of the Harvard Law School, and Mr. Herbert Croly, of the New Republic.

Whether American, British, or French, the "school" holds that the older theory of representative government has broken down, and that law and government must adjust themselves to community (large or small) aspirations that cannot longer be expressed in terms purely political. Economic federalism looms on the horizon as a theory, held by many of the younger political scientists and jurists. It also is a practical fact because of the Russian revolution and the emergence of the new type of society which has followed. The State hereafter, they say, must be interpreted in terms of sociology or social interdependence. The sovereignty and personality of the State are denied. Rights as such are minimized or ignored; emphasis is put on duties. Statutes are simply legislative determination of functions to be done by individuals to serve a public need. Administrative acts are simply the fulfilment of statutes. In short, to quote Duguit, a "realistic and socialized legal system replaces an earlier system that was at once abstract and individualist in character." "If man has rights, he can only have them from his social environment; he cannot impose his rights upon it." Any ruling class, therefore, present or future, has "no subjective sovereignty. It has a power which it exerts in return for the organization of those public services which are consistently to respond to the public need. Its acts have neither force nor legal value save as they contribute to this end. . . . The State is no longer a sovereign power issuing its commands. It is a group of individuals who must use the force they possess to supply the public need."

Which is precisely the argument that Treitsche used in defense of his group in Germany, and that Lenine is now using in Russia to back up his group.

**LIBERALISM IN AMERICA. ITS ORIGIN, ITS CONTEMPORARY COLLAPSE, ITS FUTURE.** By *Harold Stearns*. Boni and Liveright, New York City. Pp. 232. \$1.75.

Mr. Stearns formerly aided in editing *The Dial*, in its New York days, when it was competing with *The New Republic* and *The Nation* as an organ of dissent. He is of a group of young Americans of unquestioned American lineage who are competing with the Jewish-American "intellectuals" in efforts to make the New America quite different from the Old. But Mr. Stearns, like Mr. Croly, of *The New Republic*, is an evolutionist, not a revolutionist; a liberal, not a radical; and he is quite satisfied with the theory of the older Liberalism of Europe and the United States, but finds fault with its present strategy and tactics.

Being this sort of a "reformer," he finds himself lonesome today, facing the attack on individualism and on individual "rights" which comes from the doctrinaire socialist, and also from the pragmatic citizen who likes prohibition because it